

MINUTES LEESBURG PLANNING COMMISSION OCTOBER 16, 2003

The Leesburg Planning Commission met on Thursday, October 16, 2003 in the Council Chambers at 25 West Market Street, Leesburg, Virginia. Staff members present were Susan Swift, Brian Boucher, Chris Murphy, Mac Willingham and Linda DeFranco.

CALL TO ORDER

The meeting was called to order at 7:01p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: Chairman Vaughan
Vice Chairman Clem
Mayor Umstattd
Commissioner Hoovler
Commissioner Dubé
Commissioner Kennedy
Commissioner Werner

Absent: Commissioner Bangert

APPROVAL OF MINUTES

Commissioner Werner moved that the minutes of the October 2, 2003 meeting be approved with the following changes:

Under **Business Presentation** she asked that the sentence “She mentioned that a joint committee will be established...” be changed to “She asked that a joint committee be established...”

Under **Subdivision and Land Development** Commissioner Werner asked that the presentation made by Paul Draisey include the sentence “Mr. Draisey made it clear that the staff was very business friendly”.

Motion: Werner
Second: Clem
Carried: 4-0
Abstain: Hoovler, Vaughan

ADOPTION OF AGENDA

Susan Swift stated that there was a report on the last Transportation Visioning Session available and asked where on the agenda the Commission would like to place it. It was determined that it would fall under New Business.

Vice Chairman Clem made a motion to approve the agenda.

Motion: Clem
Second: Hoovler
Carried: 6-0

REMARKS BY PETITIONERS

None

PUBLIC HEARINGS

None

SUBDIVISION AND LAND DEVELOPMENT

SE 2003-5 – Loudoun Motor Sports – Brian Boucher, Zoning Administrator

Prior to beginning his briefing on Loudoun Motor Sports, Mr. Boucher introduced Christopher Murphy, the new Sr. Planner in the Planning, Zoning & Development Department. Mr. Murphy has come to Leesburg from the Pittsburgh, PA area and looks forward to his new duties here.

Brian Boucher gave an overview of the preview for Special Exception, Loudoun Motor Sports to relocate from their current location at 17 Catoctin Circle, SE to the former Southern States facility located at 212 Catoctin Circle, SE. He emphasized that most of the sales will be inside and all of the repairs will be done inside the facility. There will be some landscaping improvements along with lighting improvements. The public hearing for this Special Exception is scheduled for the Thursday, November 6 Planning Commission meeting.

Commissioner Werner stated that the proposal sounds good, she likes the idea of the cycle shop relocating to this area and also that they are proposing a wrought iron fence along Parker Court.

Commissioner Kennedy congratulated Brian Boucher and staff for working quickly with the applicant on this project. He also welcomes this relocation.

Vice Chairman Clem stated that this was a good example of Business Friendly procedure, thanked the staff for moving quickly on this, and stated that this use will enhance the area and the building.

Mayor Umstadt is pleased that they are expanding the business in Leesburg and is also pleased with the quick work of the staff.

Commissioner Hoovler basically echoed all of the previous comments.

Commissioner Dubé asked if this still leaves the two lots at the corner of Parker Court and South Street for future business use. The answer is yes, this was formerly part of Southern States gas station, but nothing has been proposed as of right now.

Commissioner Vaughan asked if Mr. Robert Sevila would like to address the Commission. Mr. Sevila praised the way the staff handled this application and is pleased with the review process and scheduled hearing.

On a separate matter, Mr. Boucher stated that there may be an unusual application for the November 6 meeting. This is on Beauregard Overlook and has an unusual proffer request which allows the applicant to change its approved plan without public hearing as long as the number of units is not increased.

Susan Swift commented that the proffer is crafted very specifically and the applicant has the right to have this approved without public hearing. It must, however, be presented to the Planning Commission.

Commissioner Kennedy stated that even though the applicant has the right to put this through without public hearing, that he may request a hearing for public relations purposes.

Mayor Umstadt asked if it would be illegal for the PC to hold a public hearing regardless of what the proffer says?

Mr. Boucher responded that the town must honor the proffer as long as it does not negatively impact the surrounding area.

COMPREHENSIVE PLANNING

None (see New Business)

COUNCIL AND REPRESENTATIVES REPORTS

Mayor Umstadt reported that she just left the Business Appreciation Awards occurring this evening and that the Business Community spoke very highly of town staff.

STAFF AND COMMITTEE REPORTS

Susan Swift stated that the second Council meeting of each month will have a report on the town plan made to the Council. Normally a Planning Commission person gives this report. Susan asked that someone volunteer for the October 28th. Lyle Werner volunteered to do this.

Commissioner Kennedy attended the EAC committee for Commissioner Bangert. He made a presentation regarding the work that the UGA ad hoc subcommittee has done over the past year. EAC voted 6-1 in support of the marriage of the UGA ad hoc group and the EDC. A CD was provided to the Planning and Zoning Department containing information on the work this committee has done and for use in conjunction with the UGA Visioning Session should they wish to use it.

OLD BUSINESS

Susan Swift brought up the request put forth by Katie Hammler at the last Planning commission meeting for a joint committee, two members from the Planning Commission, two members from the EDC, to look at redevelopment issues over the next few months. At that time the Commission was asked to think about the two members and discuss at this meeting. The Economic Development Commission has not yet approved this and will not discuss it until October 22.

Commissioner Kennedy felt assured that this will be addressed in a positive manner on October 22, and requested that discussion and appointment to the committee be done this evening.

Chairman Vaughan asked Commissioner Kennedy to expand on the purpose of this committee.

Commissioner Kennedy said that at this point he could not offer specifics on the proposed committee.

Commissioner Werner was surprised that this had not been endorsed yet, but was presented by a member of their committee. She said that the next meeting would be the best time for the Planning Commission to address this.

Commissioner Hoovler stated that Karen Jones has very definitive ideas for this committee but needs to finalize this at the next EDC meeting. She is working on a charter document that could change the focus and commitment of members.

The Commission agreed to hold this decision until the November 6 Planning Commission meeting.

Ms. Swift went on to say that there is some concern that there could be a duplicate effort on the part of this new committee, the Planning commission and the new Town Plan effort.

Chairman Vaughan echoed the fact that the committee should not replicate what has already been done. He indicated that he would call Ms. Jones to discuss coordinating this effort.

Commissioner Hoovler says that Karen Jones is attempting to set this up as a value added committee.

NEW BUSINESS

Susan Swift spoke regarding the Concrete plant proposed on Cochran Mill Road in the UGA area. This is a special exception, and Council has passed a resolution recommending denial of this application. County staff is recommending conditional approval, the condition being that the concrete plant cease when the adjacent quarry ceases operation. The public hearing on this is November 5, and council will send a representative to speak at this hearing.

Commissioner Werner asked if there was a neighbor in the area that might object. Commissioner Clem stated that there really wasn't and that this is located in an area that is zoned for light industrial with no neighbors to impact.

Commissioner Kennedy thanked staff for their stewardship efforts with regard to land that surrounds the town.

David Fuller, Chief of Comprehensive Planning came forward to field any questions regarding the report on the Transportation Visioning Session held on October 4. He stated that this session was one of the best attended and some good input was received on the issues.

Commissioner Werner found it interesting that citizens wanted structured parking in downtown rather than surface parking, in direct contrast with a recent parking study.

Commissioner Clem stated that simple traffic enforcement e.g, No Left Turn 4pm-6pm at the intersection of King and Market streets, would be a great help.

Commissioner Werner asked about comments on the Rt. 15 North improvements. She asked if any of the attendees at the Visioning Session were aware of the Catoclin Foundation and the road improvements they are supporting.

Susan Swift stated that she was not aware of that particular name, but that there was discussion about preserving the road and making it safer.

Commissioner Clem said that there was a group interested in the visual preservation, more trees, roundabout in Lucketts, etc. He went on to state that any safety improvements must be done carefully and in the best interest of all people utilizing the roadway.

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Chairman Vaughan brought up Susan Swift's prior recommendation that there be no preview meeting prior to the Public Hearing. In reference to the preview on SE 2003-05, Leesburg Motor Sports, heard earlier this evening, he felt that anyone interested in presenting their opinion at the Public Hearing would be under the impression that the Planning Commission had already made its mind up to approve this application. He stressed the importance of listening to the application but not giving an opinion until all parties had been heard. He asked the Commission to abide by this directive. Commissioner Kennedy stated most Commissioners have already read the staff report and spoken with affected parties and received their comments. He felt that there was no misleading of the public in commenting on the application. He felt that it was more misleading not to voice an opinion if all the facts had been researched.

Chairman Vaughan said that he did not want the Commission to telegraph their opinion prior to a public hearing and possibly preventing the public from taking part in this important process.

Commissioner Kennedy said he certainly listens to the participants in the public hearing and that many times they do make his decision change.

Chairman Vaughan said that this is a non political body and the Commissioners must keep data flowing through and encourage public participation. To stymie the public's desire to provide genuine public input would be counterproductive.

Commissioner Werner said that they had had this discussion and she was in favor of eliminating the previews because they were receiving information out of public view. You should not ask questions or get any further information at the preview meeting and therefore the preview meeting is not relevant.

Commissioner Hoovler said that in the future they should refrain from any comments or opinions of any previews.

The applicant should not be allowed to give any comments at the preview meeting either.

If the applicant's representative speaks, then what do we do if the applicant feels that the application was not presented the way they would like.

Commissioner Werner stated that applicants should be told they do not need to attend the preview meeting.

Commissioner Hoovler asked that staff remember to advise the applicant that they need not be present at the preview meeting.

ADJOURNMENT

The Motion was made to adjourn at 8:27pm

Prepared By:

Approved By:

Linda DeFranco, Commission Clerk

Cliff Vaughan, Chairman